

शासकीय कर्मचारी यांनी देणगी
स्वीकारण्यासंदर्भातील कार्यवाही.

महाराष्ट्र शासन
शासन परिपत्रक क्रमांक : सीडीआर-१००८/प्र.क्र.१८/०८/११,
सामान्य प्रशासन विभाग
मंत्रालय, मुंबई ४०० ०३२.
दिनांक : ३१ मे, २००८.

- संदर्भ: १) सामान्य प्रशासन विभाग, परिपत्रक क्रमांक सीडीआर-१०७०-डीआय,
दिनांक ४ जूलै, १९७०.
२) सामान्य प्रशासन विभाग, सीडीआर-१००७/प्र.क्र.१३/०७/११,
दिनांक ११ एप्रिल, २००८ ची अधिसूचना.

परिपत्रक :-

म.ना.से (वर्तणूक) नियम १९७९ च्या नियम १२ मध्ये शासकीय कर्मचारी यांनी देणगी स्वीकारण्यासंदर्भातील तरतुदी करण्यात आल्या आहेत. उक्त नियमातील रकमांमध्ये सामान्य प्रशासन विभाग, सीडीआर-१००७/प्र.क्र.१३/०७/११, दिनांक ११ एप्रिल, २००८ च्या संदर्भाधीन अधिसूचनेन्वये सुधारणा करण्यात आल्या आहेत.

२. शासकीय कर्मचारी यांनी देणगी स्वीकारण्यासंदर्भातील सूचना संदर्भाधीन (१) मधील परिपत्रकान्वये यापूर्वी देण्यात आल्या होत्या. आता म.ना.से (वर्तणूक) नियम १९७९ च्या नियम १२ मध्ये वरीलप्रमाणे केलेल्या सुधारणेच्या पार्श्वभूमिवर त्या पुन्हा निदर्शनास आणण्यात येत आहेत. त्या परिपत्रकामधील (प्रत सोबत) परिच्छेद ३ मधील उप परिच्छेद (ii) मध्ये दर्शविण्यात आलेली रक्कम रु.४५०/- याऐवजी आता रु.७,०००/- अशी वाचण्यात यावी.

३. मंत्रालयातील सर्व विभागांनी, वरील बाब सर्व संबंधितांच्या निदर्शनास आणून द्यावी.

४. हे परिपत्रक महाराष्ट्र शासनाच्या www.maharashrta.gov.in या वेबसाईटवर उपलब्ध करून देण्यात आले असून त्याचा संगणक संकेतांक क्रमांक २००८०५३११२३७४२००१ असा आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,



(प्र. ल. पाठक)

उप सचिव, महाराष्ट्र शासन.

प्रत :

राज्यपालांचे सचिव,
मुख्यमंत्र्यांचे प्रधान सचिव,

कृ.मा.प....

- उप मुख्यमंत्र्यांचे सचिव,
सर्व मंत्री/राज्यमंत्री यांचे खाजगी सचिव/स्वीय सहायक,
मुख्य सचिव, महाराष्ट्र शासन,
सर्व अपर मुख्य सचिव/ प्रधान सचिव/ सचिव मंत्रालयीन विभाग
* प्रबंधक, उच्च न्यायालय (मूळ न्याय शाखा), मुंबई,
* प्रबंधक, उच्च न्यायालय (अपील शाखा), मुंबई,
* प्रबंधक, लोक आयुक्त व उप लोक आयुक्त यांचे कार्यालय, मुंबई,
* सचिव, महाराष्ट्र विधानमंडळ सचिवालय, मुंबई,
* सचिव, महाराष्ट्र लोकसेवा आयोग, मुंबई,
* सचिव, राज्य निवडणूक आयोग, मुंबई,
सर्व मंत्रालयीन विभाग,
मंत्रालयीन विभागाच्या नियंत्रणाखालील सर्व विभागप्रमुख,
सर्व विभागीय आयुक्त,
सर्व जिल्हाधिकारी,
सामान्य प्रशासन विभागातील सर्व कार्यासने,
निवड नस्ती.

*पत्राने.

GOVERNMENT OF MAHARASHTRA

General Administration Department.

Circular No.CDR-1070-DI .

Sachivalaya, Bombay-32(BR), Dated the 4th July, 1970.

CIRCULAR OF GOVERNMENT

The Upayanagar (Toshakhana) Rules prescribed by Government Resolution, General Administration Department, No.UPG-1063-K, dated the 20th June 1963, as amended from time to time, lay down the procedure for the custody and disposal of presents received by Government servants from officials, non-official and foreign dignitaries visiting India, in the discharge of their official duties. It has been noticed that there is some impression that whenever any present or gift is given to a Government servant the Upayanagar Rules are directly applicable and that the question whether or not the Government servant concerned should be permitted to retain the gift is to be decided in accordance with those Rules only. Such a view is not wholly correct. The correct position is as indicated in para 2 below :-

2. The basic provisions for regulating the conduct of Government servants in regard to acceptance of gifts are those contained in the relevant Conduct Rules prescribed for Government servants which are mentioned in the *margin. The Upayanagar Rules are only supplementary to the Conduct Rules and they come into the picture only after a

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| <ul style="list-style-type: none">*1) Rule 11 of the All India Services (Conduct) Rules, 1968.2) Rule 6 of the Bombay Civil Services, Conduct, Discipline and Appeal Rules.3) Rule 3 of the Government Servants' Conduct Rules (Provincial and Subordinate Services), 1937.4) Rule 2 of the Government Servants' Conduct Rules, 1950. | |
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Government servant is permitted to accept a gift or a present under the Conduct Rules. When a Government servant receives a gift, he should first decide whether or not he can accept it according to the provisions of the Conduct Rules applicable to him. If he feels that he can accept the gift but for doing so he requires the permission of the competent authority under the rules,

he should report the acceptance of the gift to the competent authority and ask for the necessary permission or orders. The competent authority can then take the decision, which may be either i) not to permit him to accept the gift, ii) to permit him to accept the gift and retain the same, or iii) to require him to deposit it in the Upayanagar. The Government servant has then to act according to the orders of the competent authority. Where the competent authority directs that the present or gift should be deposited in the Upayanagar the Government servant concerned has to send it to the Upayanagar and the General Administration Department which administers the Upayanagar would then dispose of it according to the Upayanagar Rules, i.e. permit him to retain it if the price is below the prescribed limit, give him the option of buying it by paying the difference between the prescribed limit and the actual price. In short, the Upayanagar Rules would be applicable only in cases where the competent authority has decided to permit the

Government servant concerned to accept the gift / present and to ask him to deposit it in the Upayanagar. Those rules are not, however, applicable in other cases where the competent authority has decided not to permit the Government servant concerned to receive or accept a gift or where it has decided that the Government servant concerned should be permitted to retain the gift.

3. However, so far as the ceremonial gifts given by the foreign dignitaries visiting India are concerned, since it would be awkward for a Government servant to decline to accept such gift, Government has decided that an exception should be made in such a case and that the Government servant concerned should be allowed to accept the gift subject to the following conditions :-

- i) "Immediately on receipt of the gift he should report to the General Administration Department his acceptance of the gift with details such as the name of the donor, the nature of the gift and its approximate value and the occasion on which it was given, and
- ii) If there is reason to believe that the value of the gift is likely to exceed Rs.450/-, he should send it forthwith to the Chief Secretary to Government, General Administration Department for being deposited in the 'UPAYANAGAR' and for being disposed of according to the Upayanagar Rules."

4. All Departments of the Secretariat, Heads of Departments and the Heads of offices are requested to ensure that the correct procedure pointed out above is followed hereafter, and to bring these instructions to the notice of all Government servants under their control.

By order and in the name of the Governor of Maharashtra,



K.P.NADKARNI,

Deputy Secretary to the Government of Maharashtra
General Administration Department.

To,

The Secretary to the Governor,
The Private Secretary to the Chief Minister,
All Personal Assistants to Ministers, Ministers of State and Deputy Ministers,
The Prothonotary and Senior Master, High Court, Bombay (by letter)
The Registrar, High Court, Appellate Side, Bombay (by letter),
All Secretaries to Government,
All Heads of Departments and Heads of Offices under the several Departments of the Secretariat,
The General Administration Department (K Branch),
All other Departments of the Secretariat.

No.

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